

BEFORE THE ARIZONA CORPORATION COMMISSION

2 COMMISSIONERS

BOB STUMP - Chairman GARY PIERCE BRENDA BURNS BOB BURNS SUSAN BITTER SMITH 2014 MAR 27 P 2: 16

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7 IN THE MATTER OF:

CONCORDIA FINANCING COMPANY, LTD, a/k/a "CONCORDIA FINANCE,"

ER FINANCIAL & ADVISORY SERVICES, LLC,

LANCE MICHAEL BERSCH, and

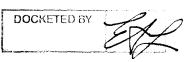
DAVID JOHN WANZEK and LINDA WANZEK, husband and wife.

Respondents.

DOCKET NO. S-20906A-14-0063

Arizona Corporation Commission DOCKETEE

MAR 27 2014



SECOND PROCEDURAL ORDER

BY THE COMMISSION:

On February 27, 2014, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, Order for Administrative Penalties, and Order for Other Affirmative Action ("Notice") against Concordia Financing Company, Ltd, a/k/a Concordia Finance ("Concordia"), ER Financial & Advisory Services, LLC ("ER"), Lance Michael Bersch, and David John Wanzek and Linda Wanzek, husband and wife (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of investment contracts and promissory notes within or from Arizona.

The spouse of David John Wanzek, Linda Wanzek ("Respondent Spouse"), is joined in the action pursuant to A.R.S. § 44-2031(C) solely for the purpose of determining the liability of the marital community.

Respondents ER, Lance Michael Bersch, David John Wanzek and Linda Wanzek were duly

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served with copies of the Notice.

On March 6, 2014, Respondents ER, Lance Michael Bersch and David John Wanzek filed a Request for Hearing. On March 14, 2014, Respondent Linda Wanzek filed a Request for Hearing.

On March 17, 2014, by Procedural Order, a pre-hearing conference was scheduled for April 10, 2014, at 11:00 a.m.

On March 26, 2014, Respondent Concordia filed a Request for Hearing.

Accordingly, the previously scheduled pre-hearing conference should be affirmed with notice provided to Respondent Concordia.

IT IS THEREFORE ORDERED affirming the pre-hearing conference to be held on April 10, 2014, at 11:00 a.m., at the Commission's offices, 1200 West Washington Street, Hearing Room No. 2, Phoenix, Arizona.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) is in effect and shall remain in effect until the Commission's Decision in this matter is final and non-appealable.

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission pro hac vice.

IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the Rules of the Arizona Supreme Court). Representation before the Commission includes appearances at all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled for discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge or the Commission.

1 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter. 2 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by 3 ruling at hearing. DATED this 27 day of March, 2014. 4 5 6 7 ADMINISTKATIVE LAW JUDGE 8 Copies of the foregoing mailed/delivered this 2711 day of March, 2014, to: Paul J. Roshka 10 Timothy J. Sabo ROSHKA DEWULF & PATTEN, PLC 11 One Arizona Center 400 East Van Buren Street 12 Suite 800 Phoenix, AZ 85004 13 Attorneys for Respondents ER, Lance Michael Bersch, David John Wanzek and Linda Wanzek 14 Alan S. Baskin BASKIN RICHARDS PLC 15 80 East Rio Salado Parkway Suite 511 16 Tempe, AZ 85281 Attorney for Respondent Concordia 17 Matthew Neubert, Director 18 Securities Division ARIZONA CORPORATION COMMISSION 19 1300 West Washington Street Phoenix, AZ 85007 20 COASH & COASH, INC. 21 Court Reporting, Video and Videoconferencing 1802 North 7th Street 22 Phoenix, AZ 85006 23 By: 24 Rebecca Unquera Assistant to Mark Preny 25 26 27

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